

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

VANDERBILT MORTGAGE AND
FINANCE, INC.

Plaintiff

VS.

CEASER FLORES, Correctly known as
Cesar Flores, and ALVIN E. KING

Defendants

AND

MARIA M. TREVINO AND
ARTURO TREVINO

Intervenors

VS.

CLAYTON HOMES, INC.;
CMH HOMES, INC.;
VANDERBILT MORTGAGE AND
FINANCE, INC.; KEVIN T. CLAYTON;
JOHN WELLS; AND
BENJAMIN JOSEPH FRAZIER

CIVIL ACTION NO. 2:09cv312

**PLAINTIFF/COUNTER-DEFENDANT VANDERBILT MORTGAGE AND FINANCE,
INC. AND INTERVENTION DEFENDANTS CMH HOMES, INC., CLAYTON HOMES,
INC. AND KEVIN T. CLAYTON'S RULE 26(a) EXPERT DISCLOSURE**

TO: Defendant/Counter-Plaintiff Cesar Flores and Alvin E. King, by and through their attorney of record, Baldemar Gutierrez, Gutierrez Law Firm, Inc., 700 East 3rd Street, Alice, Texas 78332.

Intervenor Maria M. Trevino, by and through her attorney of record, David L. Rumley, Wigington Rumley Dunn, LLP, 800 North Shoreline, 14th Floor, South Tower, Corpus Christi, Texas 78401.

Pursuant to Federal Rule of Civil Procedure 26(a)(2)(C) and the Court's Docket

Control Order dated January 7, 2010, Plaintiff/Counter-Defendant/Intervention Defendant

Vanderbilt Mortgage and Finance, Inc. (“Vanderbilt”) hereby serves this disclosure in support of its claim-in-chief upon counsel. Although Intervention Defendants CMH Homes, Inc. (“CMH”), Clayton Homes, Inc. (“CHI”), and Kevin T. Clayton (“Mr. Clayton”) do not need to designate responsive expert witnesses until August 11, 2010, CMH, CHI, and Mr. Clayton hereby also designate the witness listed below. Vanderbilt, CMH, CHI and Mr. Clayton reserve the right to amend and/or supplement these disclosures. Vanderbilt, CMH, CHI and Mr. Clayton also reserve the right to call to testify any expert witnesses designated by Defendants/Counter-Plaintiffs Cesar Flores and Alvin E. King, and/or by Intervenors Maria M. Trevino and Arturo Trevino.

- (A) The identity of any person who may be used at trial to present evidence under Rules 702, 703 or 705 of the Federal Rules of Evidence.

R. Bryan Stone
Gary, Thompson, Halls & Marks, P.C.
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- (B) With respect to a witness who is retained or specially employed to provide expert testimony in this case, a written report prepared and signed by the witness. The report shall contain the qualifications of the witness, including all publications authored by the witness within the preceding ten years; the compensation to be paid for the study and testimony; and a list of all other cases in which the witness has testified as an expert at trial or by deposition within the preceding four years.

Please see the attached report of Mr. Stone, which includes Mr. Stone’s qualifications, list of other cases in which he has testified as an expert within the last four years, and a statement of his compensation. (Pursuant to the Court’s January 7, 2010 Docket Control Order, this report is being served on counsel but is not being filed with this expert disclosure.)

Dated: July 22, 2010

Respectfully submitted,

/s/ Jorge C. Rangel

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was sent to all counsel of record via certified mail, return receipt requested, on this 22nd day of July, 2010, addressed as follows:

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(with expert report)

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/s/ Jorge C. Rangel
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